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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 DEVELOPERS SURETY AND  
10 INDEMNITY COMPANY,

11 Plaintiff,

12 v.

13 TMT EUROPEAN DEVELOPMENT, LLC,  
14 *et al.*,

15 Defendants.

Case No. C20-1062RSL

ORDER TO SHOW CAUSE

16 This matter comes before the Court *sua sponte*. On July 9, 2020, plaintiff filed this  
17 action in federal court alleging that the Court has jurisdiction based on the diversity of  
18 citizenship of the parties. *See* 28 U.S.C. § 1332(a) (establishing that the federal court’s  
19 basic diversity jurisdiction extends to “all civil actions where the matter in controversy  
20 exceeds . . . \$75,000 . . . and is between . . . citizens of different States.”). “For a case to  
21 qualify for federal jurisdiction under 28 U.S.C. § 1332(a), there must be complete  
22 diversity of citizenship between the parties opposed in interest.” *Kuntz v. Lamar Corp.*,  
23 385 F.3d 1177, 1181 (9th Cir. 2004) (internal citation omitted). In examining whether  
24 complete diversity is present, the citizenship of a limited liability company is determined  
25 by examining the citizenship of the owners/members. *See Johnson v. Columbia Props.*

1 *Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (holding that “like a partnership, an  
2 LLC is a citizen of every state of which its owners/members are citizens”).

3 Plaintiff has not alleged the citizenship of each owner/member of TMT European  
4 Development, LLC, and its conclusory allegation of the LLCs’ citizenship is insufficient  
5 to meet its burden of establishing the basis of the Court’s jurisdiction. *See Indus.*  
6 *Tectonics, Inc. v. Aero Alloy*, 912 F.2d 1090, 1092 (9th Cir. 1990) (“The party asserting  
7 jurisdiction has the burden of proving all jurisdictional facts”); Fed R. Civ. P. 12(h)(3)  
8 (“If the Court determines at any time that it lacks subject-matter jurisdiction, the court  
9 must dismiss the action”). As a result, plaintiff is ORDERED TO SHOW CAUSE why  
10 the Court should not dismiss this action pursuant to Fed. R. Civ. P. 12(b)(1) by providing  
11 the Court with the citizenship of all of the owners/members of TMT European  
12 Development, LLC, at the time the complaint was filed, by July 24, 2020. The Clerk of  
13 the Court is directed to place this order to show cause on the Court’s calendar for that  
14 date.

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16 Dated this 13th day of July, 2020.

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18 Robert S. Lasnik  
19 United States District Judge  
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